

REMARKS

Claims 1-24 are all the claims pending in the application.

Applicant thanks Examiner Dhairyा Patel for his time in conducting the courteous and productive telephonic interviews on February 25, 2008 and February 26, 2008 regarding the rejection to claims 1-24 under 35 U.S.C. § 102(e) as being allegedly anticipated by Lee et al. (US Publication 2002/0007368). Below, Applicant has first included a brief summary of the subject matter of Lee et al. (US Publication 2002/0007368). Following this summary, Applicant has included both Applicant's Statement of Substance of Interview and Applicant's arguments regarding the rejection.

I. Brief Summary of Lee et al. (US Publication 2002/0007368)

To aid in the Examiner's understanding of the following discussion, the Applicant has included below a brief summary of the subject matter of Lee.

Lee is directed to a means of efficiently storing the usage history (viewing history) of a user of a multimedia service, for example, the viewing history of a cable TV subscriber. In this example, the system of Lee is directed at efficiently storing a history of what television programs a subscriber has previously watched. The efficiency comes from an understanding that most television usage relates to series and, in general, most information about each episode is common to all episodes in the series. (Lee, pars. [0014] - [0016]). To efficiently manage the usage history, Lee teaches dividing the information stored for each series into two types of

information. The first is a common information universal to all episodes in a series. The second is inherent information unique to each episode of a series.¹

When viewing a episode of a series of which another episode has previously been viewed (and stored), Lee teaches saving the inherent information regarding the episode currently being viewed and then linking the inherent list for the current episode to the common list for the series. The common information is not stored again. At this point, the processing of the current episode is complete.

II. Discussion of Claim Rejection under 35 U.S.C. § 102(e) and Applicant's Statement of Substance of the Interview

Once again, Applicant thanks Examiner Dhairy Patel for his time in conducting the telephonic interviews and herewith submits Applicant's Statement of Substance of Interview.

To summarize these conversations, Applicant's representative contacted the Examiner to gain an better understanding of the Examiner's basis for the rejection. In particular, the Applicant's representative requested the Examiner explain what was being cited for the "initial information about an object content", the "object content", the "other contents", "the other contents whose utilization result information included initial information decided to be on the same level", the extraction step in general, and the "utilization result information" extracted which contains the "initial information decided to be on the same level . . .".

The Examiner responded that he read the "**initial information** about an object content" as the **program ID** of a episode in a series currently being watched. The "**object content**" is the

¹ It is clear that the inherent information is unique (or at least only applies) to the particular episode it regards because otherwise, Lee would teach storing it only once to avoid inefficient use of resources.

episode currently being watched and the “**other contents**” are previously watched and archived television episodes. The “other contents whose utilization result information included initial information decided to be on **the same level**” cited by the Examiner is an **entry for a previously watched episode of the same series** as the episode currently being watched.

With regard to the remaining claim requirements, and, in particular, the extraction step, the reasoning of the Examiner went far beyond the broadest reasonable interpretation.

Specifically, the Examiner stated that he interpreted the inherent information regarding the episode currently being viewed to have been “extracted” from the previously stored information.

As a result of the interview, the Examiner agreed to reconsider his position upon the filing of a formal response. As such, Applicant respectfully resubmits the arguments of Applicant’s previous response, incorporated herein by reference and restated below to fully address both the Examiner’s response and comments during the interviews.

Applicant respectfully submits that Lee fails to teach or suggest extracting information from either the common list of the series² or the inherent list of the previously viewed episode. As stated above, **the only explanation provided by the Examiner as to what information is “extracted”** was his statement that he interpreted **the inherent information regarding the episode currently being viewed** to have been **“extracted” from the previously stored information**. **The information about the episode being viewed is to be stored not obtained**

² The common list can hardly be referred to as containing information (utilization results) **of other contents** as it is not specific to the previously viewed episodes but this is simply a further distinction which will not be discussed in detail to avoid unnecessary prolix.

from the storage. This is a clearly erroneous interpretation of the term “extracting”. This is clear because, once the inherent list regarding the episode currently being viewed is stored and linked to the common list of the series, the processing of the episode is complete.

Nothing is taught or suggested to be extracted from the previously stored information. In view of this, Applicant respectfully submits that Lee fails to teach, at least “extracting the utilization result information that contains the initial information decided to be on the same level” or for that matter any other information.

Further, Applicant respectfully submits that Lee fails to teach, at least, “**generating** the content management information about the **object content** based on the extracted utilization result information.” Even assuming that any information is extracted from the previously stored episodes (which Applicant submits is incorrect), there is no teaching of “**generating the content management information about** the [the current episode] based on the [the previously stored information].” This is clear because, even if the common information and inherent information were both extracted, **no “content management information” about the current program would be generated based on this information. The new inherent information regarding the episode currently being viewed is that which is not common to the rest of the series.** In other words, the inherent information cannot be based on information about the rest of the series if it is unique. Thus, Applicant respectfully submits that Lee fails to teach every limitation of the claim.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-24.

III. Formalities

Applicant again notes that the Examiner has not acknowledged Applicant's claim for foreign priority or confirmed receipt of the certified copy of the priority document filed with the USPTO on September 25, 2003. As previously requested in the Applicant's previous response under 37 C.F.R. § 1.111, Applicant respectfully requests that the Examiner acknowledge Applicant's claim for foreign priority and confirm receipt of the certified copy of the priority document.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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